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SENATE EDUCATION

EXHIBIT NO. 3

DATE 1-30-2009

BILL NO. SB261

Denise Juneau  
Superintendent

January 28, 2009

Senator Sharon Stewart-Peregoy  
Montana State Senate  
State Capitol  
Helena, MT 59601

Dear Senator Stewart-Peregoy:

During the hearing on SB 261, I made the statement that 19% of Montana K-12 public school students have been identified as students with disabilities. My statement was incorrect. In fact, 18,158 of Montana's K-12 public school students were identified as students with disabilities for the 2007-2008 school year. These 18,158 students comprise 12.7% of all students enrolled in public schools.

I have attached the section on Special Education Child Count and Student Enrollment from the Office of Public Instruction's Special Education Report, January 2009.

If you have any questions about this information, please contact Tim Harris, Administrator, Special Education Division, 444-4429 or [tharris@mt.gov](mailto:tharris@mt.gov).

Sincerely,

*Madalyn Quinlan*

Madalyn Quinlan  
Chief of Staff

Cc: Members of the Senate Education Committee

*"It is the mission of the Office of Public Instruction to improve teaching and learning through communication, collaboration, advocacy, and accountability to those we serve."*



### **Exhibit 3**

**This exhibit has deep colored graphs embedded in the document that has been scanned in black and white for our data base and scanning process. The images are difficult to see because of the deep color.**

**The original exhibits are on file at the Montana Historical Society and may be viewed there.**

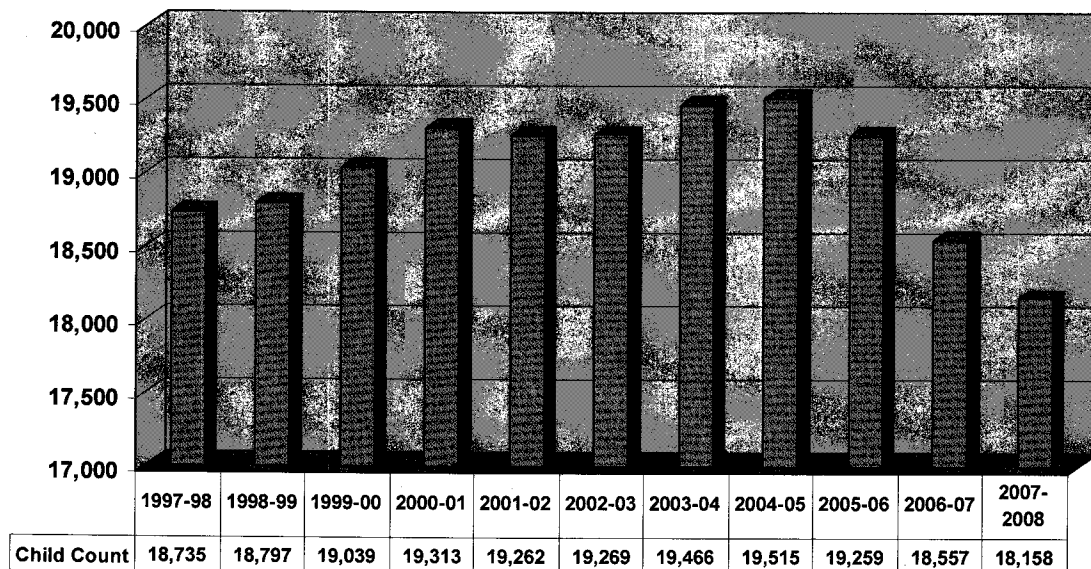
**Montana Historical Society  
Archives  
225 N. Roberts  
Helena MT 59620-1201  
Phone (406) 444-4774  
2009 Legislative Scanner Susie Hamilton**

## Special Education Child Count and Student Enrollment

Public schools must make available special education and related services to all IDEA-eligible (Individuals with Disabilities Education Act) students with disabilities beginning at age three and through age 18. Services to students, ages 19, 20, and 21, are permissive. That means the decision to serve 19, 20 and 21-year-old students is determined by the policies of the school district board of trustees [20-5-101(3), Montana Code Annotated (MCA), and Administrative Rules of Montana (ARM) 10.16.3122].

Students with disabilities receive a wide range of services, including specially designed instruction, transition services, assistive technology, and related services such as speech-language therapy, occupational therapy, and physical therapy. Both the type and the extent of services a student receives are individually determined based on the educational needs of the student.

**Special Education Child Count Longitudinal Data – Students Ages 3-21**



This is a count of students with disabilities who have a valid Individualized Education Program (IEP) in accordance with IDEA and are receiving services indicated on the IEP on the first school day in December. The count includes students who are enrolled in public schools, publicly funded schools, residential treatment facilities that contract with the OPI to provide services to their students who are Montana residents, and students who are in private or home schools and are receiving services from a public school in accordance with a Services Plan.

Source: Child Count Data Files ([Opnlmntprd3/Share/SEDATA/BPE Report/July 2008](#) and [Share/SEDATA/Data Manager/Data ManagerInformation/Child Count](#))

Analysis of the December 1, 2007, Child Count data (term used for the collection of student special education data) shows there was a decrease of 399 students from the previous year with the most significant decreases occurring in the speech-language impairment and learning disabilities categories. Thirty-five percent of the decrease occurred in grades K-3. Districts reported the following reasons for the decrease: implementation of interventions in general education resulting in fewer referrals to special education; student progress reviews that identified students no longer in need of special education instruction and so exited from special education services; and decreases in student enrollment. Analysis of the data also showed a significant decrease in the count of students reported in the disability category of emotional disturbance. Factors affecting the decrease include implementation of positive behavioral supports in general education and the positive effects of the implementation of over 100 Comprehensive School and Community

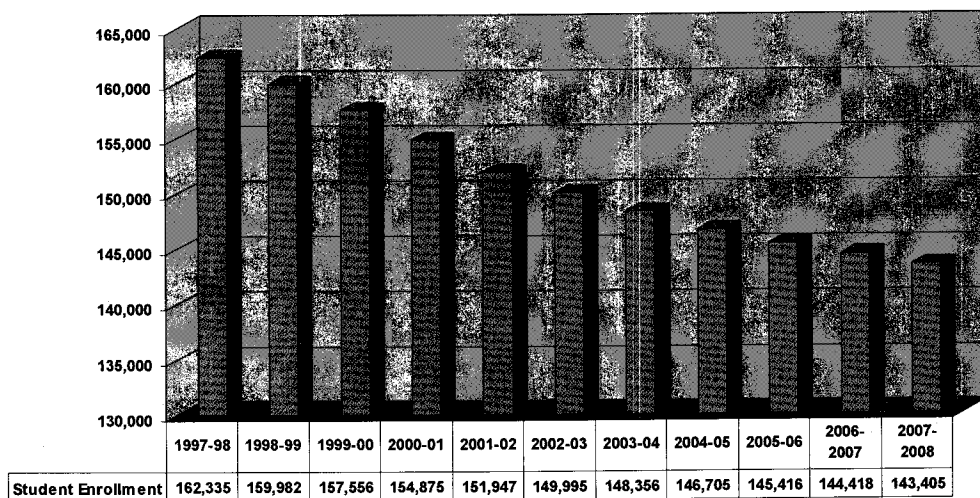
Treatment Services (CSCT) programs in schools across the state. Students are not required to be eligible for special education services to receive CSCT services.

The disability category showing the most significant increase (9.09%) is Autism. This is reflective of what is occurring nationwide. Factors affecting this are the increase in numbers of students previously identified as having Autism and moving into Montana, as well as an increase in knowledge of how to more effectively identify children who meet the criteria for Autism.

Montana's Child Count (term used for the collection of student special education data) grew steadily from 1996 through 2001. From 2001 to present, the count has leveled off.

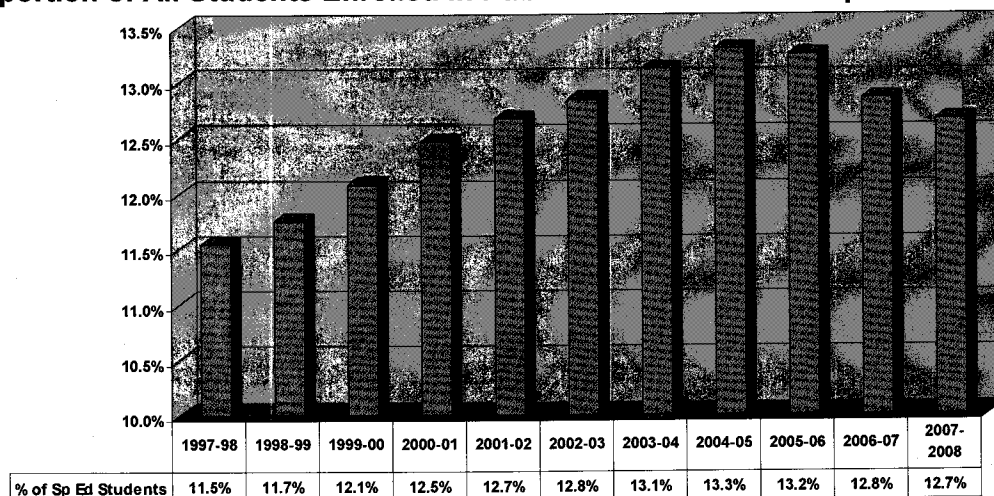
In contrast, Montana's public school enrollment has shown a steady decline since 1996. Because of declining enrollment at the same time special education Child Count has either grown, or in recent years remained steady, the proportion of students served by special education has increased.

### Student Enrollment Longitudinal Data Grades Pre-Kindergarten through 12



Source: Montana Public School Enrollment Data, (Published yearly by the OPI)

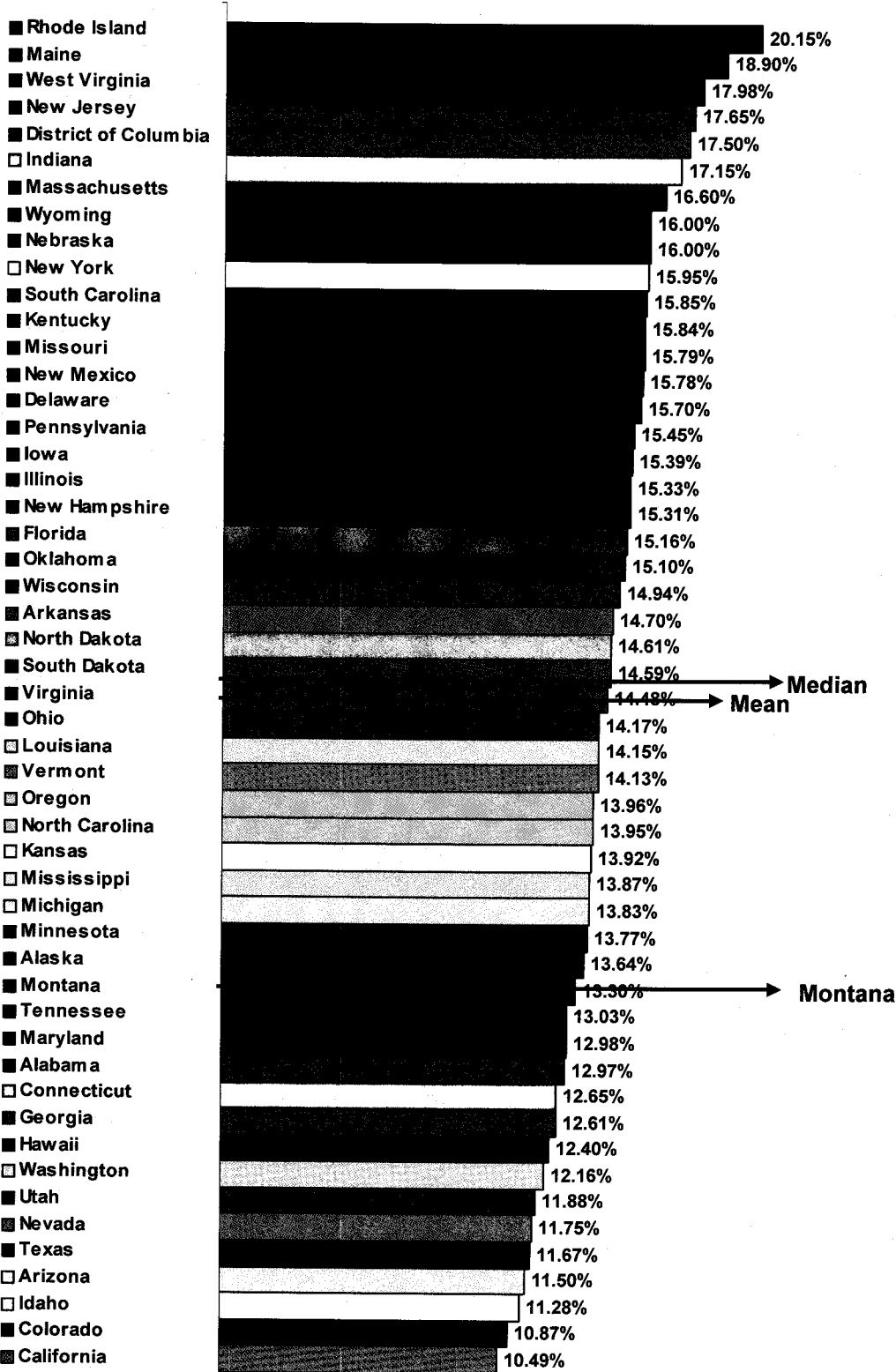
### Proportion of All Students Enrolled in Public Schools Who are Special Education



NOTE: Percentage is calculated by dividing the special education student count for the year by the total student enrollment for the same year.

Montana ranks below the mean in the percentage of students served under IDEA according to the Office of Special Education Programs, U.S. Department of Education.

### National Enrollment Prevalence of Children Served Under IDEA, Part B, During the 2004-2005 School Year.



Source: U.S. Office of Special Education Programs (IDEAdata.org) Other Data Products/Part B Trend Data Files/Table B1, Number and Percent of Population Served (Ages 3-21), by State: 1977 through 2005.

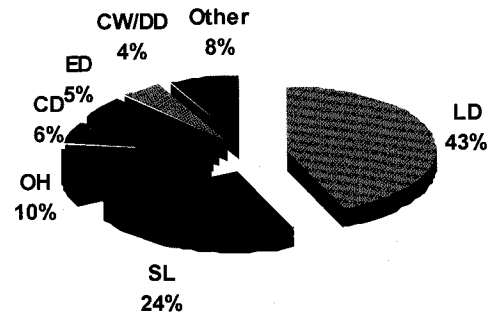
## Student Identification by Disability

The categories of Learning Disability and Speech-Language Impairment represent two-thirds of all students receiving special education services (LD=43%; SL=24%). The number of students identified under the categories of Learning Disability and Speech-Language Impairment decreased by 410 and 227 respectively. This decrease is the result of several large districts in Montana implementing general education interventions, including scientifically based instructional programs that reduced the number of students referred for special education.

A U.S. Department of Education, Office of Special Education Programs, policy letter issued in the early 1990s and subsequent federal regulations finalized in March of 1999 listing attention deficit disorder/attention deficit hyperactivity disorder in the definition for Other Health Impairment (OH) have resulted in a dramatic increase in this disability category shortly after the change, but has leveled off in recent years. The number of students in Montana identified as OH grew from 177 students reported in FY '90 to 1,727 students reported in FY '08.

The number of students identified as having Autism (AU) has also increased substantially over the last 10 years. While Autism is considered a low-incidence disability category, the cost to address the needs of a child with Autism is high. In the first year that students were reported under Autism in Montana (FY '92) only two students were reported. Subsequent years have seen steady increase with the most recent count (FY '08) at 442 students reported.

**Disabilities by Percentage of Total Number of Students with Disabilities – 2007-2008 School Year**



**DISABILITY ABBREVIATIONS and Student Count for the 2007-08 School Year**

LD	Learning Disability - 7,965
SL	Speech-Language Impairment - 4,307
OH	Other Health Impairment - 1,727
CD	Cognitive Delay - 1,015
ED	Emotional Disturbance - 987
CW/DD	Child with Disabilities/Developmental Delay - 791
Other	Total - 1,366
MD	Multiple Disabilities - 559
AU	Autism - 442
HI	Hearing Impairment - 148
OI	Orthopedic Impairment - 63
TB	Traumatic Brain Injury - 64
VI	Visual Impairment - 57
DE	Deafness - 30
DB	Deaf-Blindness - 3

Source: Special Education Child Count conducted on December 1, 2007  
 Op:\Intrd3\Access\Division\SpecialEducation\SQLCC\tblcc Child Count 2008.

An interesting effect of better identification of students with Autism shows that the total number of students identified with cognitive delay and those with Autism has remained fairly constant over the past several years with a small increase each year. The national concern that the incidence of Autism is increasing may be explained in Montana in part to better diagnostic tools available to educational professionals for an accurate identification of Autism.